

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CEDRIC WOODS,

Plaintiff,

No. CIV S-03-1976 GEB PAN P

vs.

D.L. RUNNELS, et al.,

Defendants.

ORDER

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Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On June 3, 2005, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty days.

1 Defendant has filed objections to the findings and
2 recommendations.

3 In accordance with the provisions of 28 U.S.C.
4 § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a
5 de novo review of this case. Having carefully reviewed the
6 entire file, the court finds the findings and recommendations to
7 be supported by the record and by proper analysis.

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9 Accordingly, IT IS HEREBY ORDERED that:
10 1. The findings and recommendations filed June 3,
11 2005, are adopted in full; and
12 2. Defendant's October 20, 2004, motion to dismiss is
13 denied and defendant is directed to file and serve an answer
14 within 30 days.

15 Dated: June 28, 2005

16 /s/ Garland E. Burrell, Jr.
17 GARLAND E. BURRELL, JR.
18 United States District Judge
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